

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1115, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, line 11, delete "However, this subsection does not".
- 2 Page 2, delete lines 12 through 13, begin a new paragraph and
- 3 insert:
- 4 "SECTION 2. IC 15-5-12-3.5 IS ADDED TO THE INDIANA
- 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2007]: **Sec. 3.5. (a) The following definitions**
- 7 **apply throughout this section:**
- 8 (1) **"Coydog" means:**
- 9 (A) **an animal that is the offspring of a coyote and another**
- 10 **animal; or**
- 11 **(B) an animal that is the offspring of:**
- 12 (i) **an animal that is the offspring of a coyote and another**
- 13 **animal; and**
- 14 (ii) **another animal.**
- 15 (2) **"Secure enclosure" means an outdoor pen that is:**
- 16 (A) **roofed or that has sides at least six (6) feet tall; and**
- 17 (B) **constructed in such a manner that the type of animal**
- 18 **contained within the pen cannot reasonably be expected to**
- 19 **escape.**
- 20 (3) **"Wolf hybrid" means:**
- 21 (A) **an animal that is the offspring of a wolf and another**

- 1 **animal; or**
- 2 **(B) an animal that is the offspring of:**
- 3 **(i) an animal that is the offspring of a wolf and another**
- 4 **animal; and**
- 5 **(ii) another animal.**
- 6 **(b) An owner of a wolf hybrid or coydog commits a Class B**
- 7 **infraction if the owner:**
- 8 **(1) fails to keep the animal in a building or secure enclosure;**
- 9 **or**
- 10 **(2) does not keep the animal under the reasonable control of**
- 11 **an individual on a leash not more than eight (8) feet in length.**
- 12 **An owner who tethers or chains a coydog or wolf hybrid does not**
- 13 **comply with this subsection.**
- 14 **(c) An owner of a wolf hybrid or coydog commits a Class B**
- 15 **misdemeanor if the owner recklessly, knowingly, or intentionally**
- 16 **fails to comply with subsection (b) and:**
- 17 **(1) the wolf hybrid or coydog enters property other than the**
- 18 **property of the owner; and**
- 19 **(2) the wolf hybrid or coydog causes damage to livestock or**
- 20 **the personal property of another individual.**
- 21 **(d) The offense under subsection (c) is:**
- 22 **(1) a Class A misdemeanor if the owner has one (1) prior**
- 23 **unrelated conviction under this section;**
- 24 **(2) a Class D felony if:**
- 25 **(A) the owner has more than one (1) prior unrelated**
- 26 **conviction for a violation under this section; or**
- 27 **(B) the person knowingly, intentionally, or recklessly fails**
- 28 **to comply with subsection (b) and the failure to comply**
- 29 **results in serious bodily injury to a person; and**
- 30 **(3) a Class C felony if the owner knowingly, intentionally, or**
- 31 **recklessly fails to comply with subsection (b) and the failure**
- 32 **to comply results in the death of a person.**
- 33 **(e) A unit (as defined in IC 36-1-2-23) may adopt an ordinance:**
- 34 **(1) prohibiting a person from possessing a wolf hybrid or**
- 35 **coydog; or**
- 36 **(2) imposing:**
- 37 **(A) a penalty greater than a Class B infraction for**
- 38 **violating the provisions of subsection (b); or**

1 **(B) conditions on the possession of a wolf hybrid or coydog**
2 **that are more stringent than the provisions of subsection**
3 **(b).**

4 SECTION 3. [EFFECTIVE JULY 1, 2007] **IC 15-5-12-3.5, as**
5 **added by this act, applies only to crimes committed after June 30,**
6 **2007."**

(Reference is to HB 1115 as printed February 16, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

Steele

Chairperson